

REMARKS

The Office Action dated December 16, 2004, has been received and carefully noted. The amendments made herein and the following remarks are submitted as a full and complete response thereto.

As a preliminary matter, it appears that the Office action has repeated the formal objections and rejections with respect to the Title of the Invention, the Drawings, the Abstract of the Disclosure, and the claims. However, Applicants appreciate Examiner Henning's clarification of the Office Action noting page 10, paragraphs 32-34 of the Office Action that "all rejections and objections" with respect to the formal matters "have been withdrawn." Hence, the outstanding Office Action addresses only prior art rejections of claims 1-11.

Claims 1-4 and 7-9 Rejected Under 35 U.S.C. § 102(b)

Claims 1-4 and 7-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Abraham et al. (U.S. Patent No. 5,048,085, hereinafter "Abraham"). Claim 2 has been canceled, and the subject matter recited in claim 2 has been incorporated into claim 1. Applicants respectfully traverse the rejection and submit that each of these claims recites subject matter that is neither disclosed nor suggested by the cited prior art.

Claim 1, as amended, recites an encryption control apparatus comprising, among other features, an encryption control apparatus having a standby mode for waiting for data to be received from an external device and an enable mode for enabling an operation, and further comprises mode switching means for decrypting encrypted data

sent from the external device in the standby mode with the private key stored in the RAM so that the plain text data is restored, the switching means also checking whether the plain text data coincides with the data stored in the ROM, and switching the encryption control apparatus to the enable mode or back to the standby mode depending on coincidence and discrepancy of the data.

It is respectfully submitted that the prior art fails to disclose or suggest at least the above-mentioned features of the Applicants' invention.

The Office Action characterized Abraham as allegedly disclosing "an encryption processor (element 85)" and "storing keys in RAM (See Abraham Col. 6 Lines 64-65), storing authorization profiles (See Abraham Col. 9 Lines 15-22), and command authentication based on user profile in which a wait mode is used when the adapter is not in use (See Abraham Fig. 7)."

Applicants disagree with the Office Action's characterization of Abraham and traverse the rejection.

It is submitted that Abraham fails to disclose or suggest each and every element recited in claim 1 of the present application. In particular, it is submitted that the "encryption processor 85" of Abraham is neither comparable nor analogous to the encryption control apparatus of the present invention. In fact, the encryption process 85 of Abraham does not have at least "a standby mode for waiting for data to be received from an external device and an enable mode for enabling an operation, and further comprises mode switching means for decrypting encrypted data sent from the external device in the standby mode with the private key stored in the RAM so that the plain text

data is restored, the switching means also checking whether the plain text data coincides with the data stored in the ROM, and switching the encryption control apparatus to the enable mode or back to the standby mode depending on coincidence and discrepancy of the data.” Therefore, Applicants submit that Abraham fails to disclose each and every element recited in claim 1 of the present application.

Moreover, to qualify as prior art under 35 U.S.C. §102, a single prior art reference must teach, i.e., identically describe, each feature of a rejected claim. As explained above, Abraham fails to disclose or suggest each and every feature of claim 1. Accordingly, Applicants respectfully submit that claim 1 is not anticipated by nor rendered obvious by Abraham. Therefore, Applicants respectfully submit that claim 1 is allowable.

As claims 3-4 and 7-9 depend from claim 1, Applicants submit that each of these claims incorporates the patentable aspects therein, and are therefore allowable for at least the reasons set forth above with respect to the independent claims, as well as for the additional subject matter recited therein.

Accordingly, Applicants respectfully request withdrawal of the rejection.

Claims 1 and 5-6 Rejected Under 35 U.S.C. § 102(b)

Claims 1 and 5-6 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ganesan (U.S. Patent No. 5,737,419, hereinafter “Ganesan”). Applicants respectfully traverse the rejection and submit that each of these claims recites subject matter that is neither disclosed nor suggested by the cited prior art.

The Office Action characterized Ganesan as allegedly disclosing “a processor (Element 700), ROM (Element 722), RAM (Element 720), I/O (Elements 726, 728, 729, 730, 740 and 760) (See Ganesan Fig. 6).”

Applicants disagree with the Office Action’s characterization of Ganesan and traverse the rejection. It is submitted that Ganesan fails to disclose or suggest each and every element recited in claim 1 of the present application. In particular, Applicants submit that Ganesan fails to disclose or suggest at least an encryption control apparatus having a standby mode for waiting for data to be received from an external device and an enable mode for enabling an operation, and further comprises mode switching means for decrypting encrypted data sent from the external device in the standby mode with the private key stored in the RAM so that the plain text data is restored, the switching means also checking whether the plain text data coincides with the data stored in the ROM, and switching the encryption control apparatus to the enable mode or back to the standby mode depending on coincidence and discrepancy of the data. Therefore, Applicants respectfully submit that claim 1 is allowable.

As claims 5-6 depend from claim 1, Applicants submit that each of these claims incorporates the patentable aspects therein, and are therefore allowable for at least the reasons set forth above with respect to the independent claims, as well as for the additional subject matter recited therein.

Accordingly, Applicants also request withdrawal of the rejection.

Claim 10 Rejected under 35 U.S.C. § 103(a)

Claim 10 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abraham, and further in view of Kashkashian, Jr. (U.S. Patent No. 4,700,055, hereinafter "Kashkashian"), and claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Abraham, and further in view of Double et al. (U.S. Patent No. 5,027,397, hereinafter "Double").

As claims 10 and 11 depend from independent claim 1, each of these claims incorporates the patentable aspects therein, and is therefore allowable for at least the reasons set forth above with respect to the independent claims, as well as for the additional subject matter recited therein.

Accordingly, Applicants also request withdrawal of the rejection.


Conclusion

In view of the above, Applicants respectfully submit that each of claims 1 and 3-11 recites subject matter that is neither disclosed nor suggested in the cited prior art. Applicants also submit that the subject matter is more than sufficient to render the claims non-obvious to a person of ordinary skill in the art, and therefore respectfully request that claims 1 and 3-11 be found allowable and that this application be passed to issue.

If for any reason, the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact the Applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper has not been timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to counsel's Deposit Account No. 01-2300 with reference to Attorney Docket number 108392-00000.

Respectfully submitted,



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